

REMARKS

Rejection of claims 1 - 13 under 35 U.S.C. § 102(b) as being anticipated by PSWN
("Introduction to Encryption Key Management for Public Safety Radio Systems", 2001)

Applicant respectfully traverses the rejection of claims 1 – 13.

Applicant respectfully submits that PSWN does not anticipate, either expressly or inherently, each and every element as set forth in independent claims 1, 6, and 9. For example, independent claims 1 and 6 recite "*a universal asynchronous receiver transmitter (UART) peripheral* for [communicating with a key variable loader (KVL) through at least one communications link] for transmitting and receiving key commands from the KVL" and independent claim 9 recites "detecting a first detection signal at *a universal asynchronous receiver transmitter (UART)* within the electronic device," which is not anticipated either expressly or inherently, in PSWN.

PSWN is directed towards effective management of encryption keys, such that they are safeguarded throughout their life cycle and are protected from unauthorized disclosure and modification. Abstract.

Applicant respectfully disagrees with the statement in item 3, page 2, of the Office Action dated June 24, 2008 that PSWN describes a "universal asynchronous receiver transmitter (UART) peripheral for communicating with a key variable loader (KVL)" (PSWN: Page 5 , section 3.2 "Key Distribution" and page 6, first paragraph).

PSWN on page 6 describes a key management facility (KMF) filling a remote KVL with encryption keys using a direct cable connection or a telephone circuit and modem. PSWN also discloses that the KVL is attached to the subscriber unit and is in a remote place from the KMF. Therefore, *PSWN merely describes transmission of an encryption key by a KMF to a remote KVL*; however, *PSWN fails to disclose a universal asynchronous receiver transmitter (UART) peripheral* communicating with the KVL. In contrast, Applicant's describe a *UART peripheral for communicating* with a key variable loader (KVL). Therefore PSWN fails to disclose "*a universal asynchronous receiver transmitter (UART) peripheral* for [communicating with a key variable loader (KVL) through at least one communications link] for transmitting and receiving key commands from the KVL," as recited by Applicant's independent claims 1 and 6 and

“detecting a first detection signal at a *universal asynchronous receiver transmitter (UART)* within the electronic device,” as recited by the Applicant’s independent claim 9.

In addition, Applicant respectfully disagrees with the statement on page 2 of the Office Action, which states “a driver application associated with the UART peripheral for receiving and transmitting commands to the KVL ... and wherein the driver application operates to communicate key command information to the KVL without the use of a timer peripheral” (PSWN: Page 5, section 3.2 "Key Distribution" and page 6, first paragraph). The cited passage at best describes “A KMF server maintains keying materials in databases; encrypts and decrypts all key management messages; and provides access point for KVL upload and download. A KMF client provides operator interface to OTAR, key management services (local and remote), and KMF administrator access.” Therefore, *PSWN merely describes access points for KVL upload and download* in the KMF server and over the air radio (*OTAR*) interface in the KMF client. In contrast, Applicant’s claim describes a *driver application associated with the UART peripheral* and a *management Application operating with the driver application*. Also, PSWN fails to disclose how the driver application works. Therefore, PSWN fails to disclose “*a driver application associated with the UART peripheral* for receiving and transmitting commands to the KVL; and wherein the *driver application operates to communicate key command information to the KVL without the use of a timer peripheral*,” as recited by the Applicant’s independent claim 1 and “*a KVL driver application* for communicating command information to the UART peripheral; *a KVL management application* operating with the KVL driver application for interpreting key command data from the KVL; and wherein the *KVL driver operates without a timer peripheral* enabling the UART peripheral to utilize parity error information to validate communication with the KVL,” as recited by the Applicant’s independent claim 6.

In addition, Applicant respectfully disagrees with the statement on page 4 of the Office Action which states “PSWN discloses a method for ... transmitting data from the KVL to the UART.” (PSWN: Page 5, section 3.2 "Key Distribution", page 6, first paragraph and page 9, second and third paragraph). The cited passages at best disclose “The central facility, called a key management facility (KMF) distributes keys by first encrypting the key and then transmitting it over the air to subscriber units in the system ... The KMF can fill a KVL with encryption keys using a direct cable connection or a telephone circuit and modems to a remote KVL” Therefore, PSWN describes a keying method, where an encryption key is transmitted

from the KMF to a KVL through a cable, a modem, or over the air. Accordingly, PSWN discloses only a one way communication from a KMF to a remote KVL. Also, PSWN does not disclose a UART peripheral communicating with a KVL. In contrast, Applicant's claim describes transmission of data from a KVL to a UART. Therefore, PSWN fails to disclose *"transmitting data from the KVL to the UART,"* as recited by the Applicant's independent claim 9.

In addition, Applicant respectfully disagrees with the statement on page 4 – 5 of the Office Action describing "PSWN discloses ... transmitting a second detection signal from the UART to a KVL application when the UART detects a receive data byte ... transmitting a third detection signal from the UART to the KVL application indicating all data has been received ... transmitting a fourth detection signal from the UART to a KVL link layer application for sending subsequent data until all data has been transmitted by the UART." (PSWN: Page 5, section 3.2 "Key Distribution", page 6, first paragraph and page 9, second and third paragraph). The cited passages at best disclose "The central facility, called a key management facility (KMF) distributes keys by first encrypting the key and then transmitting it over the air to subscriber units in the system ... The KMF can fill a KVL with encryption keys using a direct cable connection or a telephone circuit and modems to a remote KVL." Therefore, PSWN merely describes that a central KMF transmits encryption keys to a remote KVL; however, PSWN *fails to disclose detection signals involved with a UART peripheral*. In contrast, Applicant's claim describes *transmission of a second, third, and fourth detection signals from the UART to a KVL*. Therefore, PSWN fails to disclose *"transmitting a second detection signal from the UART to a KVL application when the UART detects a receive data byte; transmitting a third detection signal from the UART to the KVL application indicating all data has been received; and transmitting a fourth detection signal from the UART to a KVL link layer application for sending subsequent data until all data has been transmitted by the UART,"* as recited by the Applicant's independent claim 9.

In view of the foregoing, Applicant respectfully submits that PSWN does not disclose the claim limitations as set forth by the Applicant's independent claims 1, 6, and 9. Applicant therefore submits that claims 1, 6, and 9 are not anticipated by PSWN, and therefore the rejection of claims 1, 6, and 9 under 35 USC 102(b) should be withdrawn. Applicant requests that claims 1, 6, and 9 may now be passed to allowance.

Dependent claims 2-5 depend from, and include all the limitations of independent claim 1, dependent claims 7-8 depend from, and include all the limitations of independent claim 6, and dependent claims 10-13 depend from, and include all the limitations of independent claim 9. Therefore, Applicant respectfully requests reconsideration of dependent claims 2-5, 7-8, and 10-13 are in proper condition for allowance and requests that claims 2-5, 7-8, and 10-13 may now be passed to allowance.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

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Respectfully submitted,

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